

7 **REMARKS**

8 Reconsideration of the application in view of the above amendments and the following  
9 remarks is respectfully requested.

10 Claims 1-14 and 22-35 are pending in this application. Claims 1 and 26 have been amended.

11 Claims 1 and 26 have been amended to correct grammatical errors, and to introduce the  
12 word "signal" to specifically point out that that both dark current and light produce signals.  
13 quote "where  $t_e$  is a short enough time that dark current signals and projected light produced  
14 signals are small compared to offset signals in pixels of the first CMOS array".

15 The office action states that Claims 1, 22, and 26 are rejected under Section 35 U.S.C.  
16 112.

17 Examiner is correct in stating that dark current is always present in the sensor. Examiner  
18 is incorrect in stating that the dark current is "regardless of the exposure time". The dark  
19 current signal is proportional to the exposure time, as is the light produced signal. It is well  
20 known to practitioners of the art that the signals returned by CCD and CMOS detectors are  
21 charges, which are the integral of the current over a time. As the integration time goes to zero,  
22 both these signals go to zero. The Offset signals, however, are independent of the integration  
23 time, and can be determined by the method of the invention, by setting the "exposure time" or  
24 "integration time" to a small enough value that the offset signals are very much larger than the  
25 dark current or light induced current signals.

26 No additional fee is required.

27 No extension of time for filing a reply in the above identified application is required  
28 under 37 CFR 1.17, as the deadline for reply of June 11, 2005 falls on a Saturday, and thus the  
29 last day for the reply is June 13, 2005.

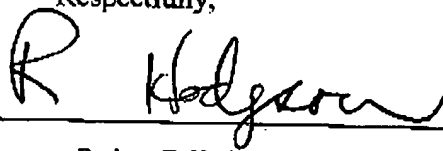
30 The required fees and any insufficiency or overage (except issue fees) may be debited or  
31 credited to deposit account 08/2240. A signed deposit account authorization is on file for this  
32 case.

33 On the basis of the above amendments and remarks, reconsideration of this application  
34 and its early allowance is respectfully requested.

35 **CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 CFR 1.8(a) and (b), 37CFR 1.86(f)-**

36 I hereby certify that the following attached correspondence comprising Response and Amendment is being sent by facsimile transmission to  
37 FAX NUMBER 703-872-9306 on June 13, 2005.

38  
39 Respectfully,

40 

41 Rodney T. Hodgson Agent # 37,849

42 822 Pinesbridge Road, Ossining, NY 10562.

43 914-914-302-6303 (Fax 914-762-4126)

E-MAIL - patents@aip.org